

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO.,
LTD., SAMSUNG ELECTRONICS
AMERICA, INC., SAMSUNG
SEMICONDUCTOR, INC.,

Defendants.

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CIVIL ACTION NO. 2:22-CV-00293-JRG

VERDICT FORM

In answering the following questions and completing this Verdict Form, you are to follow all the instructions that I have given you in the Court's Final Jury Instructions. Your answers to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Final Jury Instructions. You should refer to and consider the Final Jury Instructions as you answer the questions in this Verdict Form.

As used herein, the following terms have the following meanings:

- “**Netlist**” refers to Plaintiff Netlist, Inc.
- “**Samsung**” refers collectively to Defendants Samsung Electronics Co., Ltd.; Samsung Electronics America, Inc.; and Samsung Semiconductor, Inc.
- The “**’912 Patent**” refers to U.S. Patent No. 7,619,912
- The “**’417 Patent**” refers to U.S. Patent No. 11,093,417
- The “**’608 Patent**” refers to U.S. Patent No. 10,268,608
- The “**Asserted Patents**” refers collectively to the ’912, ’417, and ’608 Patents

**IT IS VERY IMPORTANT THAT YOU FOLLOW THE
INSTRUCTIONS PROVIDED IN THIS VERDICT FORM**

**READ THEM CAREFULLY AND ENSURE THAT YOUR
VERDICT COMPLIES WITH THEM**

QUESTION NO. 1A

Did Netlist prove by a preponderance of the evidence that Samsung infringed claim 16 of the '912 Patent?

Yes: ✓ No:

QUESTION NO. 1B

Did Netlist prove by a preponderance of the evidence that Samsung infringed claims 1, 2, and/or 8 of the '417 Patent?

Yes: ✓ No:

QUESTION NO. 1C

Did Netlist prove by a preponderance of the evidence that Samsung infringed claims 1 and/or 5 of the '608 Patent?

Yes: ✓ No:

If you answered "NO" for any of the Asserted Patents above, DO NOT answer any other questions concerning THAT SPECIFIC Asserted Patent. For example, if you answered "YES" for Question No. 1A, but you answered "NO" for Question Nos. 1B and 1C, DO NOT answer Question Nos. 2B, 2C, 4B, and 4C. You should advance to Question 2 ONLY IF you answer "YES" for any of Question Nos. 1A, 1B, or 1C.

If you answered "NO" for all of Question Nos. 1A, 1B, and 1C, proceed to the final page of the Verdict Form.

QUESTION NO. 2A

Did Samsung prove by clear and convincing evidence that claim 16 of the '912 Patent is invalid?

Yes: _____

No: ☒ _____

QUESTION NO. 2B

Did Samsung prove by clear and convincing evidence that claims 1, 2, and 8 of the '417 Patent are invalid?

Yes: _____

No: ☒ _____

QUESTION NO. 2C

Did Samsung prove by clear and convincing evidence that claims 1 and 5 of the '608 Patent are invalid?

Yes: _____

No: ☒ _____

If you answered "YES" to Question Nos. 2A, 2B, or 2C above, DO NOT answer any other questions concerning THAT SPECIFIC Asserted Patent.

Answer Question Nos. 3, 4, and 5 ONLY IF you have found at least one Asserted Patent infringed (answered "YES" to any version of Question No. 1) and not invalid (answered "NO" to the same version of Question No. 2).

If you have NOT found ANY of the Asserted Patents infringed and not invalid, proceed to the final page of the Verdict Form.

QUESTION NO. 3

If you found infringement, did Netlist prove by a preponderance of the evidence that such infringement by Samsung was **willful**?

Yes: ✓

No:

QUESTION NO. 4A

What sum of money, if paid now in cash, has Netlist proven by a preponderance of the evidence would compensate it for its damages for infringement **of the '912 Patent?**

Answer in United States Dollars and Cents, if any:

\$ 94,000,000

QUESTION NO. 4B

What sum of money, if paid now in cash, has Netlist proven by a preponderance of the evidence would compensate it for its damages for infringement **of the '417 Patent?**

Answer in United States Dollars and Cents, if any:

\$ 12,000,000

QUESTION NO. 4C

What sum of money, if paid now in cash, has Netlist proven by a preponderance of the evidence would compensate it for its damages for infringement **of the '608 Patent?**

Answer in United States Dollars and Cents, if any:

\$ 12,000,000

QUESTION NO. 5

Are the damages for infringement you found in Question Nos. 4A, 4B, and/or 4C a lump sum or a running royalty?

Lump Sum: ✓ Running Royalty:

FINAL PAGE OF THE JURY VERDICT FORM

You have now reached the end of the Verdict Form and you should review it to ensure it accurately reflects your unanimous determinations. The Jury Foreperson should then sign and date the Verdict Form in the spaces below. Once this is done, notify the Court Security Officer that you have reached a verdict. The Jury Foreperson should keep the Verdict Form and bring it when the jury is brought back into the courtroom.

Signed this 22 day of November, 2024.

Jury Foreperson